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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/578,027	05/24/2000	Ron Cohen	50325-0125	4795

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EXAMINER

HUETTLER, RUDOLF F

ART UNIT PAPER NUMBER

2141

3

DATE MAILED: 09/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/578,027

Applicant(s)

COHEN ET AL.

Examiner

Rudolf F Huetttler

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 May 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/24/00 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code (pages 11-13). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 4 - 17, and 29, 30, are rejected under 35 U.S.C. 102(e) as being anticipated by Kavner (6,366,947).
  - a. As per Claim 1, 11- 16, and 29, 30, Kavner discloses a method and system of optimizing retrieval of electronic documents (i.e. web pages; col. 1, lines 1-10), comprising the steps of: receiving a first electronic document; identifying one or more symbolic references to other electronic documents within the first electronic document; determining a network address of each of the other electronic documents corresponding to each of the symbolic references (col. 5, lines 53-67; figure 5; col. 12, lines 48-56); creating and storing a modified copy of the first electronic document in which the network address (IP address, figure 5) is substituted for each of

the corresponding symbolic reference (col. 12, lines 48-56); delivering the modified copy of the electronic document in response to all subsequent client requests for the first electronic document (col. 12, lines 23-33; col. 4, lines 44-52; col. 5, lines 30-32). Kavner further discloses that any subsequent accesses to a first received resource (i.e. web page) that is located in a local cache, is displayed to the user immediately (col. 5, lines 30-33).

b. As per Claims 2 and 17, Kavner discloses the method of claim 1, further comprising the steps of delivering an unmodified copy of the first electronic document in response to a client request for the first electronic document, concurrently while performing the steps of identifying, determining, creating, and storing (col. 4, lines 46-52).

c. As per Claims 4 and 19, Kavner discloses the method of claim 1, further comprising the steps of creating and storing the modified copy in cache storage of a cache server that executes the method; delivering the modified copy from the cache in response to all subsequent client requests for the first electronic document (col. 4, lines 46-52, col. 5, lines 30-33).

d. As per Claim 5 and 20, Kavner discloses the method as recited in Claim 4, further comprising the steps of retrieving and storing in the cache storage, each of the other electronic documents; carrying out the steps of identifying, determining, creating and storing, and delivering for each of the other electronic documents in the cache storage, before or at the same time as receiving one or more client requests for the other electronic documents (col. 5, lines 54-63; col. 12, lines 27-33).

e. As per Claims 6 and 21, Kavner discloses the method as recited in Claim 1, further comprising the steps of: determining that one or more of the symbolic references identifies a prohibited network resource (col. 19, lines 21-36); substituting a network address of a pre-determined network resource for the symbolic references to the prohibited network resource. Kavner discloses the use of a filter when accessing a prohibited or unwanted resource (i.e. a pornographic ad or graphic), that a pre-determined selected resource (which has a different address) would be loaded instead (col. 19, lines 21-36; col. 26, lines 49-67; col. 20, lines 39-50).

f. As per Claims 7 and 22, Kavner discloses the method as recited in Claim 6, wherein the pre-determined network resource is a pre-defined electronic document that comprises a message specifying that access to the prohibited network resource is prohibited (col. 19, lines 21-36).

g. As per Claims 8, 9, 10, 23, 24, 25, and 28, Kavner discloses the method as recited in Claim 1, wherein the electronic document comprises an HTML document, and wherein the symbolic references comprise embedded URLs in the HTML document (col. 16, lines 32-37; col. 2, lines 45-49). Kramer also discloses the use of hyperlinks (col 2, lines 45-49).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 18, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kavner in view of applicant's admitted prior art. Kavner discloses the method of claim 1, but lacks wherein each of the a plurality of symbolic references identify one particular host name; substituting a different network address in each of the symbolic references that identify the particular host name, wherein each different network address is associated with one of a plurality of replicated servers. Applicants admitted prior art (pages 1 and 2) indicate the use of replicated servers to serve identical resource in the form of load balancing. It would be obvious to one skilled in the art to modify Kavner's optimized resource retrieval method to include : substituting a different network address in each of the symbolic references that identify the particular host name, wherein each different network address is associated with one of a plurality of replicated servers, as disclosed in admitted prior art, for the purposes of load balancing (pages 1 and 2).

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. Li (5,920,859) teaches a hypertext document retrieval system.
  - b. Adams et al. (6,334,145) teaches a method for classifying and stroing selectable web page links.
  - c. Chiu et al. (5,752,022) teaches a method for creating a hypertext language for a distributed computer network.

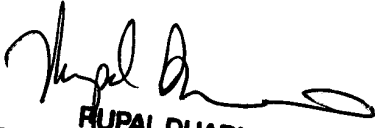
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rudolf F Huettler whose telephone number is 703-305-2738.

The examiner can normally be reached on Mon -Fri (8am - 5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 703-305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Rudolf F Huettler  
Examiner  
Art Unit 2141

  
RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER